

February 3, 2026

**BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY**

**RESOLUTION 2026-68**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF PENDING LITIGATION  
BEFORE THE SUPERIOR COURT OF NEW JERSEY, MONMOUTH COUNTY  
ENTITLED MONTOYA-MERINO v. BOROUGH OF BRADLEY BEACH,  
DOCKET NO. MON-L-3181-25**

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**Mayor Gubitosi** offered the following Resolution and moved its adoption:

**WHEREAS**, a Complaint was filed against the Borough of Bradley Beach, County of Monmouth, State of New Jersey (the “Borough”) by a maintenance worker employed by the Borough, entitled *Montoya-Merino v. Borough of Bradley Beach – Docket No. MON-L-3181-25* (the “Action”), wherein it was alleged that the Borough’s prior administration failed to pay required overtime wages; and

**WHEREAS**, the Borough denied the allegations and claims made in the Action; and

**WHEREAS**, the Borough’s current administration finds it to be in the best interests of the taxpayers of the Borough and the plaintiff-employees that the Action be fully and finally settled;

**WHEREAS**, the Chief Financial Officer has issued a Certificate of Available Funds in the amount of \$8,062.13;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, hereby authorizes the full and final settlement of *Montoya-Merino v. Borough of Bradley Beach – Docket No. MON-L-3181-25*, and directs the Borough Administrator to execute the Settlement Agreement, attached hereto as Exhibit A, and in accordance therewith, make payment in the total amount of \$8,062.13, as follows:

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|---|------------|
| a. Marina Montoya-Merino                              | \$6,562.13 |
| b. Escandon, Fernicola, Anderson, Covelli & McPherson | \$1,500.00 |

**BE IT FURTHER RESOLVED** that a copy of this Resolution, together with the executed Settlement Agreement, shall be filed with the Municipal Clerk, and forwarded to the Borough Administrator, Borough CFO, Borough Attorney, and JIF Defense Counsel.

Seconded by Councilperson DeNoble and adopted upon the following vote:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Ms. DeNoble	X			
Ms. Greenblatt	X			
Mr. Karp	X			
Mr. Nowicki	X			
Mayor Gubitosi	X			

**CERTIFICATION**

I, Erica Kostyz, Municipal Clerk of the Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the February 3, 2026 Council Meeting.

*Erica Kostyz*  
Erica Kostyz, RMC, CMR  
Municipal Clerk